

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In Re: NEURONTIN MARKETING AND
SALES PRACTICES LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL Docket No. 1629

Master File No. 04-10981

Judge Patti B. Saris

MOTION TO ADMIT COUNSEL PRO HAC VICE

Pursuant to Local Rule 83.5.3, the undersigned counsel, James S. Harrington, hereby moves the Court for an Order allowing W. Scott Simmer, Robins, Kaplan, Miller & Ciresi L.L.P., 1801 K Street, N.W., Suite 1200, Washington, D.C., 20006, Tel. (202) 775-0725, Fax (202) 223-8604, to appear and practice *pro hac vice* on behalf of non-class third party payor plaintiffs¹ that were transferred to the above-captioned action from *Assurant Health et al v. Pfizer Inc. et al*, Civil Action No. 2:05-cv-0095 (MCA) (D.N.J.). As grounds for this motion, the undersigned states that:

1. I am duly admitted to practice before this Court and represent the non-class, third party payor plaintiffs in the above-captioned action.
2. Mr. Simmer has prepared the Certification required by Local Rule 83.5.3(b), which has been filed together with this Motion.

¹ The non-class third party payor plaintiffs consist of the following health benefit providers: American Medical Security, Assurant Health, Blue Cross Blue Shield of Massachusetts, Blue Cross Blue Shield of Minnesota, Blue Cross and Blue Shield of Nebraska, CareFirst, Excellus Health Plan, Inc., Group Health Service of Oklahoma, d/b/a Blue Cross Blue Shield of Oklahoma; Hawaii Medical Service Association, d/b/a Blue Cross Blue Shield of Hawaii, Health Care Service Corporation (Blues of Illinois, Texas and New Mexico), Horizon Health Care Services, Inc., d/b/a Horizon Blue Cross Blue Shield of New Jersey; Humana Inc., Louisiana Health Service and Indemnity Co., d/b/a Blue Cross and Blue Shield of Louisiana; Medmutual of Ohio; Mutual of Omaha Insurance Company, Offord Health Plans, LLC; The Regence Group; Wellmark, Inc., d/b/a Wellmark Blue Cross Blue Shield of Iowa and Wellmark South Dakota, d/b/a Blue Cross and Blue Shield of South Dakota.

3. I have provided Mr. Simmer with a complete copy of the Local Rules of the United States District Court for the District of Massachusetts.
4. W. Scott Simmer is a member of the firm of Robins, Kaplan, Miller & Ciresi L.L.P. He is admitted to the United States Court of Appeals for the Seventh Circuit, several United States District Courts, and the highest courts of the States of Iowa, the District of Columbia, and New Jersey.
5. The Plaintiffs request that Mr. Simmer represent them in this matter. Accordingly, the Court should exercise its discretion and allow the admission *pro hac vice* of W. Scott Simmer.

WHEREFORE, the undersigned counsel respectfully moves that Mr. Simmer be admitted to practice before this Court *pro hac vice*.

Dated: _____, 2005

Respectfully submitted,

/s/ James S. Harrington
James S. Harrington (#543744)
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*Attorneys for Non-Class, Third Party Payor Plaintiffs,
formerly of Assurant Health et al v. Pfizer Inc. et al, Civil
Action No. 2:05-cv-0095 (MCA) (D.N.J.).*

STATEMENT REGARDING LOCAL RULE 7.1(A)(2)

Counsel for the Plaintiffs who are non-class third party payors, formally in *Assurant Health et al. v. Pfizer, Inc. et al.*, have conferred with counsel for Defendant, Pfizer, and there is no objection to this Motion for Admission *Pro Hac Vice*.

/s/James S. Harrington
James S. Harrington

DATED: _____, 2005

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CERTIFICATE OF GOOD STANDING

Pursuant to Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts, I, W. Scott Simmer, hereby certify that:

1. I was admitted to the bar of the District of Columbia in 2001, the United States District Court for the District of Columbia in 2001, the State of Iowa in 1985, the United States District Court for the Northern and Southern Districts of Iowa in 1987, the United States District Court for the Northern District of Illinois in 1998, the United States District Court for the Central District of California in 2002, the State of New Jersey in 2002, the United States District Court for the District of New Jersey in 2002, and the United States Court of Appeals for the Seventh Circuit in 2000.

2. I am a member in good standing in every jurisdiction where I have been admitted to practice, although I am inactive in the State of Iowa.

3. No disciplinary proceedings are pending against me as a member of any bar in any jurisdiction.

4. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. My name, firm address and telephone number is as follows:

W. Scott Simmer
1801 K Street, N.W.
Suite 1200
Washington, DC 20006
Tel. (202) 775-0725
Fax (202) 223-8604

W. Scott Simmer

Dated: _____, 2005